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AUG 14 2001

Technology Center 2100

**CONTINUED PROSECUTION APPLICATION (CPA) REQUEST TRANSMITTAL**

Submit an original, and a duplicate for fee processing  
(Only for Continuation or Divisional application under 37 C.F.R. 1.53(d))

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<b>TO:</b> Assistant Commissioner for Patents Box CPA Washington, DC 20231	<b>Attorney Docket No. of Prior application:</b> 95617018 <b>First Named Inventor:</b> Eric H. BOCH et al <b>Examiner Name:</b> Examiner P. Nguyen <b>Group Art Unit:</b> 2732
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This is a request for a ☒ continuation or ☐ divisional application under 37 C.F.R. 1.53(d) (continued prosecution application (CPA)) of prior application Serial No. 09/174,002 filed on October 16, 1998, entitled CELLULAR BASE STATION WITH INTEGRATED MULTIPOINT RADIO ACCESS AND INTERCELL LINKING.

<p align="center"><b>NOTES</b></p> <p><b>FILING QUALIFICATIONS:</b> The prior application identified above must be a nonprovisional application that is either: (1) complete as defined by 37 C.F.R. 1.51(b), or (2) the national stage of an international application in compliance with 35 U.S.C. 371. Effective May 29, 2000, a CPA may only be filed in a utility or a plant application if the prior nonprovisional application was filed before May 29, 2000. A CPA may be filed in a design application regardless of the filing date of the prior application. See "Request for Continued Examination Practice changes to and Provisional Application Practice," Final Rule, 65 Fed. Reg. 50092 (Aug. 16, 2000); Interim Rule, 65 Fed. Reg. 14865 (Mar. 20, 2000); 1233 Off. Gaz. Pat. Office (Apr. 11, 2000).</p> <p><b>C-I-P NOT PERMITTED:</b> A continuation-in-part application cannot be filed as a CPA under 37 C.F.R. 1.53(d), but must be filed under 37 C.F.R. 1.53(b).</p> <p><b>EXPRESS ABANDONMENT OF PRIOR APPLICATION:</b> The filing of this CPA is a request to expressly abandon the prior application as of the filing date of the request for a CPA. 37 C.F.R. 1.53(b) must be used to file a continuation, divisional or continuation-in-part of an application that is not to be abandoned.</p> <p><b>ACCESS TO PRIOR APPLICATION:</b> The filing of this CPA will be construed to include a waiver of confidentiality by the applicant under 35 U.S.C. 122 to the extent that any member of the public who is entitled under the provisions of 37 C.F.R. 1.14 to access to, copies of, or information concerning, the prior application may be given similar access to, copies of, or similar information concerning, the other application or applications in the file jacket.</p> <p><b>35 U.S.C. 120 STATEMENT:</b> In a CPA, no reference to the prior application is needed in the first sentence of the specification and none should be submitted. If a sentence referencing the prior application is submitted, it will not be entered. A request for a CPA is the specific reference required by 35 U.S.C. 120 and to every application assigned the application number identified in such request, 37 C.F.R. 1.78(a).</p>
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- ☐ Enter the unentered amendment previously filed on \_\_\_\_\_ under 37 C.F.R. 1.116 in the prior application nonprovisional application.
- ☒ A Preliminary Amendment is enclosed.
- ☒ A new associate power of attorney or authorization of agent (PTO/SB/81) is enclosed.

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4. ☐ Information Disclosure Statement (IDS) is enclosed:  
 a. ☐ PTO-1449  
 b. ☐ Copies of IDS Citations
5. ☒ The filing fee is calculated below on the basis of the claims existing in the prior application as amended at 1 and 2 above:

For	No. Filed	Basic	No. Extra	Rate \$	Calculations
Total Claims	23	20	3	\$ 18.00	\$54.00
Indep. Claims	4	3	1	\$ 80.00	\$80.00
[ ] Multiple Dependent Claims				\$270.00	\$
BASIC FEE					\$710.00
TOTAL OF ABOVE CALCULATIONS					\$844.00
[ ] Reduction by 1/2 For Filing By Small Entity					\$
TOTAL FILING FEE					\$844.00

6. ☐ Small entity status: Applicant claims small entity status. See 37 CFR 1.27.
7. The Commissioner of Patents and Trademarks is hereby authorized to credit overpayment or charge the following fees to Deposit Account No. 26-0090.  
 a. ☐ Fees required under 37 C.F.R. 1.16.  
 b. ☐ Fees required under 37 C.F.R. 1.17.  
 c. ☐ Fees required under 37 C.F.R. 1.18.
8. ☒ A check in the amount of \$ 844.00 to cover the filing fee is enclosed. If no check is enclosed and a fee is due in connection with this communication or if the check enclosed is insufficient, the Commissioner is authorized to charge any fee or additional fee due in connection with this communication to Deposit Account No. 26-0090.
9. ☐ Return Receipt Postcard.
10. ☐ New Attorney Docket Number, if desired: \_\_\_\_\_  
 (Prior application Attorney Docket Number will carryover to this CPA unless a new Attorney Docket Number has been provided herein.)
11. ☐ Other: \_\_\_\_\_

Respectfully submitted,

*Jim Zegeer*  
 Jim Zegeer, Reg. No. 18,957  
 Attorney for Applicants

Date: August 9, 2001

In the event this paper is deemed not timely filed, the applicant hereby petitions for an appropriate extension of time. The fee for this extension may be charged to Deposit Account No. 26-0090 along with any other additional fees which may be required with respect to this paper.